

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHOICE HOTELS INTERNATIONAL,
INC.,

Plaintiff,

v.

PENTA DENVER, LLC,

Defendant.

Case No. [13-mc-80249-WHA](#) (JSC)

**ORDER TO SHOW CAUSE TO
DEFENDANTS MUKESH J. MOWJI
AND TARUN S. PATEL**

Re: Dkt. Nos. 67, 68

In this debt enforcement action, Plaintiff Choice Hotels International, Inc. seeks to recover a money judgment against Defendants Mukesh J. Mowji (“Mowji”) and Tarun S. Patel (“T. Patel,” and together, the “judgment debtors”), among other defendants. In August of 2014, the Court entered Examination Orders directing Mowji and T. Patel to appear in court at 9:30 a.m. on October 30 and 31, respectively. (Dkt. Nos. 46, 47.) In addition, Subpoenas Duces Tecum issued directing the judgment debtors to appear and bring with them a wide range of documents relevant to Plaintiff’s debt collection attempts. (*Id.*) Plaintiff personally served the orders and subpoenas on Mowji and T. Patel on September 26, 2014. (Dkt. Nos. 53, 57.) However, the examinations were not held; although Plaintiff’s counsel came to both scheduled examinations, neither the judgment debtors nor their counsel appeared as the Court ordered. (Dkt. Nos. 62, 63.) Plaintiff now moves for orders directing the judgment debtors to appear personally before the Court and show cause why they should not be held in contempt for failing to follow the Court’s Examination Orders. (Dkt. Nos. 67, 68.) The judgment debtors did not respond to Plaintiff’s motions. Thus, it appears that Mowji and T. Patel may have willfully and contumaciously violated the specific and definite orders of the Court setting their debtor examinations.

Accordingly, Plaintiff’s motion is GRANTED. Judgment debtors Mowji and T. Patel are

1 hereby ORDERED TO SHOW CAUSE why they should not be found in civil contempt based on
2 their failure to follow the Court's Examination Orders. A hearing on the Order to Show Cause
3 shall take place before the undersigned on January 22, 2015 at 9:00 a.m. in Courtroom F on the
4 15th floor of 450 Golden Gate Avenue, San Francisco, California 94102. If any judgment debtor
5 objects to being held in contempt, he shall file a legal memorandum of points and authorities
6 containing his objections no later than January 9, 2015, and Plaintiff may file a response or
7 memorandum supporting contempt no later than January 16, 2015. Plaintiff shall personally serve
8 this Order on judgment debtors Mowji and T. Patel and file a certificate of service.

9 The hearing scheduled for December 11, 2014 is VACATED.

10 **IT IS SO ORDERED.**

11 Dated: December 9, 2014

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13 JACQUELINE SCOTT CORLEY
14 United States Magistrate Judge
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